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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/744,866	04/02/2001	Frank Austrup	790076.403US	5636
<div>23364 7590 05/14/2007</div> <div>BACON & THOMAS, PLLC</div> <div>625 SLATERS LANE</div> <div>FOURTH FLOOR</div> <div>ALEXANDRIA, VA 22314</div>				
			<div>EXAMINER</div> <div>RAWLINGS, STEPHEN L</div>	
			<div>ART UNIT</div> <div>1643</div>	<div>PAPER NUMBER</div>
			<div>MAIL DATE</div> <div>05/14/2007</div>	<div>DELIVERY MODE</div> <div>PAPER</div>

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Response to Rule 312 Communication	Application No.	Applicant(s)	
	09/744,866	AUSTRUP ET AL.	
	Examiner	Art Unit	
	Stephen L. Rawlings, Ph.D.	1643	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

1. ☒ The amendment filed on 04 April 2007 under 37 CFR 1.312 has been considered, and has been:

- a) ☐ entered.
- b) ☐ entered as directed to matters of form not affecting the scope of the invention.
- c) ☐ disapproved because the amendment was filed after the payment of the issue fee.

Any amendment filed after the date the issue fee is paid must be accompanied by a petition under 37 CFR 1.313(c)(1) and the required fee to withdraw the application from issue.

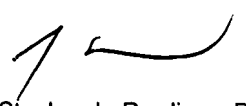
- d) ☒ disapproved. See explanation below.
- e) ☐ entered in part. See explanation below.

As this application is in IFW, the proposed amendment cannot be entered in part. The amendment will not be entered for the following reasons:

Claim 31 is objected to for following reasons:

Claim 31 depends from claim 30, which depends from claims 24 or 28. Claim 31 recites, "in which the body fluid or part thereof or resuspended [sic] cell-containing fraction is passed". The recitation of the limitation "the body fluid or part thereof", which is passed through the screen, does not find antecedent basis in preceding claim 28 because according to claim 28 "a resuspended cell-containing fluid", as opposed to a body fluid or part thereof, is passed through the screen. Then, the recitation of the limitation "the [...] resuspended cell-containing fraction", which is passed through the screen, does not find antecedent basis in preceding claim 24 because according to claim 24 "a cell-containing body fluid or part thereof", as opposed to "a resuspended cell-containing fraction", is passed through the screen.

Furthermore, there is a misspelling of the word "resuspended" in claim 31.


Stephen L. Rawlings, Ph.D.
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Art Unit 1643